

**UNITED STATES DISTRICT COURT**  
**District of New Mexico**

UNITED STATES OF AMERICA  
 V.

**Jose Luis Gamboa**

**Judgment in a Criminal Case**  
 (For **Revocation** of Probation or Supervised Release)

Case Number: **1:09CR00143-001WJ**

USM Number: **10674-280**

Defense Attorney: **James Loonam**

THE DEFENDANT:

- ☒ admitted guilt to violations of condition(s) **Special** of the term of supervision.  
☐ was found in violation of condition(s) after denial of guilt.

The defendant is adjudicated guilty of these violations:

<i><b>Violation Number</b></i>	<i><b>Nature of Violation</b></i>	<i><b>Violation Ended</b></i>
1	Special Condition: The defendant failed to reside and complete a program at a community corrections center for a period of up to four months as approved by the probation officer.	05/07/2010

The defendant is sentenced as provided in pages 1 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984. The Court has considered the United States Sentencing Guidelines and, in arriving at the sentence for this Defendant, has taken account of the Guidelines and their sentencing goals. Specifically, the Court has considered the sentencing range determined by application of the Guidelines and believes that the sentence imposed fully reflects both the Guidelines and each of the factors embodied in 18 U.S.C. § 3553(a). The Court also believes the sentence is reasonable, provides just punishment for the offense and satisfies the need to impose a sentence that is sufficient, but not greater than necessary to satisfy the statutory goals of sentencing.

- ☐ The defendant has not violated condition(s) and is discharged as to such violation(s).

IT IS FURTHER ORDERED that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

\_\_\_\_\_  
 Defendant's Soc. Sec. No.

**04/26/1982**

\_\_\_\_\_  
 Defendant's Date of Birth

**6936 Concord Hills Loop**

**Rio Rancho NM**

\_\_\_\_\_  
 Defendant's Residence Address

,  
 \_\_\_\_\_  
 Defendant's Mailing Address

**Sandoval**

\_\_\_\_\_  
 County of Residence

**5/26/2010**

\_\_\_\_\_  
 Date of Imposition of Judgment

**/s/ William P. Johnson**

\_\_\_\_\_  
 Signature of Judge

**Honorable William P. Johnson**  
**United States District Judge**

\_\_\_\_\_  
 Name and Title of Judge

**6/2/2010**

\_\_\_\_\_  
 Date Signed

Defendant: **Jose Luis Gamboa**  
Case Number: **1:09CR00143-001WJ**

### IMPRISONMENT

The defendant is committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **2 months**.

- ☐ The court makes these recommendations to the Bureau of Prisons:
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant must surrender to the United States Marshal for this district:
- ☐ at on
- ☐ as notified by the United States Marshal.
- ☐ The defendant must surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2 p.m. on
- ☐ as notified by the United States Marshal
- ☐ as notified by the Probation or Pretrial Service Office.

### RETURN

I have executed this judgment by:

Defendant delivered on \_\_\_\_\_ to  
\_\_\_\_\_ at \_\_\_\_\_ with a Certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

\_\_\_\_\_  
Deputy United States Marshal

Defendant: **Jose Luis Gamboa**Case Number: **1:09CR00143-001WJ****SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of **13 months**.

**All of the special conditions previously imposed remain in effect.**

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons. The defendant shall not commit another federal, state, or local crime. The defendant shall not illegally possess a controlled substance.

***For offenses committed on or after September 13, 1994:***

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

- ☐ The above drug testing condition is suspended based on the courts determination that the defendant possesses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any dangerous weapon. (Check, if applicable).
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable).
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page (if indicated below).

**STANDARD CONDITIONS OF SUPERVISION**

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall obtain and maintain full time, legitimate employment, or attend a vocational or academic training program throughout the term of supervised release as directed by the probation officer;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement;

Defendant: **Jose Luis Gamboa**  
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### **SPECIAL CONDITIONS OF SUPERVISION**

**The defendant must participate in and successfully complete home confinement for a period of 4 months months under the electronic monitoring program. The defendant may be required to pay a portion or all costs of such program.**

**The defendant must participate in and successfully complete a substance abuse treatment program which may include drug testing, outpatient counseling, or residential placement. The defendant is prohibited from obstructing or attempting to obstruct or tamper, in any fashion, with the collection, efficiency and accuracy of any substance testing device or procedure. The defendant may be required to pay a portion of the cost of this treatment as determined by the probation office.**